

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

*Plaintiff,*

v.

BRANDI C. BARTLOW,

*Defendant.*

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**NOTICE OF MOTION TO  
EXTEND RULE 48(b) DATE**  
Case No. 23-mj-01022-JJM

S I R S :

Please take notice that upon the annexed affidavit of Barry Nelson Covert, Esq., the undersigned moves this Court for an order extending the Rule 48(b) date for approximately sixty (60) days for reasons set forth in the affidavit annexed hereto and made a part hereof together with such other and further relief as to this Court may deem just and proper.

DATED: Buffalo, New York  
June 14, 2023

Yours truly,

BARRY NELSON COVERT, ESQ.  
*Attorneys for Defendant, Brandi Bartlow*  
Office and Post Office Address  
42 Delaware Avenue, Suite 120  
Buffalo, New York 14202  
(716) 849-1333  
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TO: JOSHUA VIOLANTI, ESQ.  
ASSISTANT UNITED STATES ATTORNEY  
United States Attorney's Office  
138 Delaware Avenue  
Buffalo, New York 14202

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

*Plaintiff,*

**AFFIDAVIT**

v.

Case No. 23-mj-01022-JJM

BRANDI C. BARTLOW,

*Defendant.*

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STATE OF NEW YORK )  
COUNTY OF ERIE ) SS:  
CITY OF BUFFALO )

BARRY NELSON COVERT, ESQ., being duly sworn, deposes and says:

1. I, along with attorney Barry Nelson Covert, Esq., represent the defendant, Brandi Bartlow.

2. By order of United States Magistrate Judge Jeremiah J. McCarthy, the Rule 48(b) status conference is currently scheduled for June 16, 2023 at 12:00 p.m.

3. We are respectfully requesting a sixty (60) day extension of the Rule 48(b) Date.

4. We respectfully make this request as Ms. Bartlow is currently in a short term program in Rochester, New York, and we have been advised by Probation Officer Lillian Cullen that they are looking to discharge her to long term.

5. Also, defense has been in plea discussions with Assistant United States Attorney Joshua Violanti. Because of the complicated nature of the negotiations, we are respectfully requesting an additional sixty (60) day extension of the Rule 48(b) date.

6. Assistant United States Attorney Joshua Violanti was contacted, and he has no objection to this request.

7. The parties agree that the speedy trial time should be excluded pursuant to Title 18 USC §3161(h)(7)(A) and 3161(h)(7)(B)(iv) and Rule 5.1 of the Federal Rules of Criminal Procedure.

WHEREFORE, counsel prays that this Court rule accordingly.

/s/Barry Nelson Covert, Esq.  
Barry Nelson Covert, Esq.

Subscribed and sworn to before me this  
14<sup>th</sup> day of June, 2023.

/s/Megan G. Commaroto  
Notary Public, State of New York  
My Commission Expires February 24, 2026